

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

**In Re: Alicia Ann Mahar
Debtor**

**Case No. 16-74022-SCS
Chapter 12**

MOTION AND MEMORANDUM IN SUPPORT TO WITHDRAW AS COUNSEL

COME NOW, Mary T. Morgan (“Ms. Morgan”) and Golightly Mulligan & Morgan, PLC, Counsel for John W. Tripp and Tidewater Law Group, P.C., former counsel for the Debtor, pursuant to Rule 2090-1(G) of the Local Bankruptcy Rules, and hereby move this honorable Court for leave to withdraw as Counsel of Record for John W. Tripp and Tidewater Law Group, P.C., and in support thereof, respectfully state as follows:

1. On or about March 16, 2018, John P. Fitzgerald, III, acting United States Trustee for Region 4, by counsel, filed a Motion for Sanctions against John W. Tripp and Tidewater Law Group, P.C. (Docket No. 193).
2. On or about April 10, 2018, the undersigned filed a Notice of Appearance on behalf of John W. Tripp and Tidewater Law Group, P.C. (Docket No. 202).
3. On or about April 11, 2018, the undersigned filed a Response to the Motion for Sanctions (Docket No. 203).
4. On or about April 12, 2018, a Preliminary Hearing was held, and the Final Hearing on this matter was scheduled for September 18, 2018.

RELIEF REQUESTED

5. By this Motion, Ms. Morgan and Golightly Mulligan & Morgan, PLC seek leave to withdraw as Counsel of Record for John W. Tripp and Tidewater Law Group, P.C.

6. Rule 2090-1(G) of the Local Bankruptcy Rules governs the withdrawal of appearances by counsel of record and provides that:

No attorney who has entered an appearance in any case or proceeding shall withdraw as counsel except for cause, on order of the Court after reasonable notice to the party on whose behalf the attorney has appeared. Bankr. E.D. Va. R. 2090-1(G).

7. Cause exists supporting the withdrawal of Ms. Morgan and Golightly Mulligan & Morgan, PLC as Counsel of Record for John W. Tripp and Tidewater Law Group, P.C.

8. Pursuant to Virginia Rule of Professional Conduct 1.16(b), a lawyer may withdraw from representation of a client if withdrawal can be accomplished without material adverse effect on the interests of the client, or under certain enumerated circumstances (emphasis supplied).

9. In the instant case, Ms. Morgan and Golightly Mulligan & Morgan, PLC submit that several of the circumstances outlined in Rule 1.16(b) have been met, but in light of the requirements of Virginia Rule of Professional Conduct 1.6, Confidentiality of Information, disclosure of the circumstances could be prejudicial to the client and is generally prohibited.

WHEREFORE, Mary T. Morgan and Golightly Mulligan & Morgan, PLC., respectfully request that they be relieved as Counsel of Record for John W. Tripp and Tidewater Law Group, P.C.

Date: July 5, 2018

Respectfully submitted,
Mary T. Morgan
Golightly Mulligan & Morgan, PLC

By: /s/ Mary T. Morgan
*Counsel for John W. Tripp, Esq. and
Tidewater Law Group, P.C.*
Virginia State Bar No.: 44955
Golightly Mulligan & Morgan, PLC.
1244 Perimeter Parkway, Suite 441
Virginia Beach, Virginia 23454
(757) 609-2702 (Telephone)

(757) 301-9625 (Facsimile)
mary@golightlylaw.com

CERTIFICATE OF SERVICE

I certify that on the 5th day of July 2018, service on all attorney users in this case was accomplished through the Notice of Electronic Filing pursuant to CM/ECF Policy 9 of the United States Bankruptcy Court for the Eastern District of Virginia, Case Management Electronic Case Files (CM/ECF) Policy Statement, Version 07/14/15.

I also hereby certify that on the 5th day of July 2018, I served, via hand delivery, a true and correct copy of the foregoing on:

John W. Tripp
468 Investors Place, Suite 202
Virginia Beach, Virginia 23452

/s/ Mary T. Morgan _____